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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/392,938
Filing Date	September 9, 1999
First Named Inventor	Tackman et al.
Group Art Unit	2135
Examiner Name	Thanhnga B. Truong
Attorney Docket Number	99-1852

Total Number of Pages in This Submission

**ENCLOSURES (check all that apply)**

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request (one month)<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) (in Triplicate) 3 Copies<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><b>return receipt postcard</b> |
|--|---|---|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	DaimlerChrysler Corporation	Attorney/Agent Name	Gordon K. Harris, Jr.	Reg. No.	28,615
Signature					
Date	November 22, 2005				

**CERTIFICATE OF MAILING**

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Typed or printed name Susan J. Sidwell

Signature

Date

11/22/2005

**PTO FEE TRANSMITTAL**  
**for FY 2005**  
Effective 10/01/2004. Patent fees are subject to annual revision.  
☐ Applicant claims small entity status. See 37 CFR 1.27

**Complete if Known**

Application Number	09/392,938
Filing Date	September 9, 1999
First Named Inventor	Tackman et al.
Examiner Name	Thanhnga B. Truong
Art Unit	2135
Attorney Docket No.	99-1852

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 03-1800

Deposit Account Name: DaimlerChrysler Intellectual Capital Company LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1011	300	2011	150	Utility filing fee	
1012	200	2012	100	Design filing fee	
1013	200	2013	100	Plant filing fee	
1014	300	2014	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	
SUBTOTAL (1)					(\$ 0)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims: 20 \*\* = 0 X 0 = 0

Independent Claims: 3 \*\* = 0 X 0 = 0

Multiple Dependent: = 0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	** Reissue independent claims over original patent	
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ )

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	500
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	500	Request for oral hearing	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1500	2453	750	Petition to revive - unintentional	
1501	1400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$ 500)
<b>4. SEARCH/EXAMINATION FEES</b>					
1111	500	2111	250	Utility Search Fee	
1112	100	2112	50	Design Search Fee	
1113	300	2113	150	Plant Search Fee	
1114	500	2114	250	Reissue Search Fee	
1311	200	2311	100	Utility Examination Fee	
1312	130	2312	65	Design Examination Fee	
1313	160	2313	80	Plant Examination Fee	
1314	600	2314	300	Reissue Examination Fee	
SUBTOTAL (4)					(\$ 0)

**TOTAL FEES ENCLOSED: \$500**

**SUBMITTED BY**

Name (Print/Type)	Gordon K. Harris, Jr.	Registration No. (Attorney/Agent)	28,615	Telephone	(248) 944-6526
Signature		Date	November 22, 2005		

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/392,938  
Filing Date: September 9, 1999  
Applicant(s): Tackman et al.  
Group Art Unit: 2135  
Examiner: Thanhnga B. Truong  
Title: A SYSTEM AND METHOD FOR PREPARING,  
EXECUTING, AND SECURELY MANAGING  
ELECTRONIC DOCUMENTS

Attorney Docket: 99-1852

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By Susan G. Sidwell

**APPEAL BRIEF**

Sir:

This is an appeal from the final rejection of claims 1—20 under 35 U.S.C.

§ 103(a), in the Office Action mailed June 29, 2005.

11/25/2005 NGUYEN1 00000020 031800 09392938

01 FC:1402 500.00 DA

#### I. REAL PARTY IN INTEREST

The Real Party in Interest is DaimlerChrysler Services LLC, a limited liability corporation organized and existing under the laws of the State of Michigan and having a place of business in Farmington Hills, Michigan, a successor company to Mercedes-Benz Credit Corporation, the assignee of record of the captioned application.

#### II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences which would directly affect or be directly affected by or have a bearing on the Board's decision in the instant Appeal.

#### III. STATUS OF CLAIMS

Claims 1—20 stand rejected and are the subject of this Appeal. Claims 1—20 are set forth in the Claims Appendix hereto.

#### IV. STATUS OF AMENDMENTS

In response to the Office Action of June 29, 2005 rejecting Claims 1—20, Applicants filed a NOTICE OF APPEAL by facsimile transmission on September 27, 2005 without further amendment.

#### V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The invention as set forth in independent claim 1 calls for a system for enabling the preparation, execution and secure management of an electronic chattel paper

agreement. The system includes a server processing unit (110 – Fig. 2) and a server memory device electrically coupled to the server processing unit. A client processing unit (210 – Fig. 2) and a client memory device electrically coupled to the processing unit and a server program module (115 – Fig. 2) stored in the server memory device for providing instructions to the server processing unit are included. Additionally, the system includes a client program module (215 – Fig. 2) stored in the client memory device for providing instructions to the client processing unit. The system further includes a communication medium (150 – Fig. 2) communicatively coupling the server processing unit (110 – Fig. 2) and the client processing unit (210 – Fig. 2). The client processing unit (210 – Fig. 2) is responsive to instructions of the client program module (215 – Fig. 2) and the server processing unit (110 – Fig. 2) is responsive to the instructions of the server program module (115 – Fig. 2) to authorize access to the system, generate at least one unexecuted electronic chattel paper document, and prevent the creation of fraudulent versions of the electronic chattel paper document. The client and server processing units are further operative to allow electronic signatures to be electrically input (via, e.g. electronic signature pad 225 – Fig. 2) by parties to a chattel paper transaction to be associated with the electronic document thereby generating an electronic chattel paper agreement. Additionally, the system maintains an authoritative copy of the electronic chattel paper agreement in the server memory device of the server processing unit (110 – Fig. 2).

The invention as set forth in independent claim 10 is a method for creating an electronic chattel paper agreement and maintaining an authoritative copy of the electronic chattel paper agreement. The method includes receiving a set of input

information from an input source (step 320 of Fig. 3 – input screens of Fig. 6), the set of input information including a subset of information necessary to generate an electronic chattel paper document. In response to receiving a complete indicator from the input source, the complete indicator indicating that the received subset of input information is complete, the method generates an electronic chattel paper document by merging the subset of input information with a chattel paper document template (e.g. Fig. 7, Fig. 8). The method next calls for electronically receiving a set of signatures by parties to a chattel paper transaction from the input source (using electronic signature pad 225 of Fig. 2 – also see typical electronic signature screens 1000 of Fig. 10), whereby upon receiving the set of chattel paper signatures, the electronic chattel paper document is considered an electronic chattel paper agreement. In response to receiving a submit indicator (icon 920 – Fig. 9), the method then stores the electronic chattel paper agreement within an access restricted computer system (e.g. server 110), the stored electronic chattel paper agreement constituting an authoritative copy of the electronic chattel paper agreement.

The invention as set forth in independent claim 16 is a method for maintaining an authoritative copy of an electronic chattel paper agreement in a distributed computer system including at least one server device (110 – Fig. 2) and at least one client device (210- Fig. 2) communicatively coupled (150 – Fig. 2) to the server device. A client device (210 – Fig. 2) receives a set of input information from an input source (e.g. keyboard 230 – Fig. 2), the set of input information including a subset of information necessary to generate an electronic chattel paper document (steps 320, 330 – see e.g. Figs. 6 and 7) and a set of signatures (step 360, device 225, see Fig. 10) necessary to

make the electronic chattel paper document a binding chattel paper agreement. The client device (210 – Fig. 2) encrypts the electronic chattel paper document using a first key and a set of signatures using a second key, the second key being based at least in part on the contents of the electronic chattel paper document, whereby any modifications to the electronic chattel paper document would result in invalidating the set of signatures. The client device transfers the encrypted chattel paper document and the encrypted set of signatures to a server device over a communications medium, the server device being access restricted, the stored electronic chattel paper document and a set of signatures constituting the only authoritative copy of the electronic chattel paper agreement.

The invention as set forth in independent claim 17 is a client system operating within an electronic chattel paper document system, the electronic chattel paper document system including a server (110 – Fig. 2), a server memory storage device and a server program module (115 – Fig. 2), the client system comprising a client processing unit (210 – Fig. 2), a client memory device, a display device (220 – Fig. 2) and an input device (keyboard 230 and signature pad 225 – Fig. 2) all electrically coupled to the client processing unit, a client program module (215 – Fig. 2), stored in the client memory device for providing instructions to the client processing unit, a communication medium (150 – Fig. 2) communicatively coupling the client system (210 – Fig. 2) to the electronic document system, and the client processing unit (210 – Fig. 2), responsive to the instructions of the client program module (215 – Fig. 2), being operative to authorize access to the electronic chattel paper document system by

receiving access information from the input device (230 – Fig. 2), transmitting the access information to the server over the communication medium (150 – Fig. 2).

#### VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

The grounds for rejection to be reviewed are:

- 1) Unpatentability of Claims 1—20 under 35 U.S.C. § 103(a) over Rowney et al. (U.S. 5,987,140) in view of Ginter et al. (U.S. 5,892,900).

#### VII. ARGUMENT

##### Rejection Under 35 U.S.C. §103

Claims 1-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Rowney et al. (US 5,987,140) and further in view of Ginter et al. (US 5,892,900). The rejection is respectfully traversed.

##### The References

Rowney et al. teaches a system for securely approving and effecting electronic payments. As the Examiner has conceded, Rowney et al. has no teaching of the computerized generation and securing of electronic chattel paper documents or agreements.

Ginter et al. adds nothing of significance to Rowney et al. which would render applicants' claims unpatentable. While Ginter et al. discloses a virtual distribution environment (VDE) that secures, administers and audits electronic information content in various databases and permissible use thereof, Ginter et al. likewise is devoid of



teachings related to generation, protection and use of electronic chattel paper generation, execution by signature input by the parties to the agreement or maintenance thereof. As shown by the claim element analyses set forth below, the Examiner has failed to establish a prima facie case of obviousness.

The teachings of Rowney et al. and Ginter et al., taken singly or in combination, fail to disclose at least the claim limitations set forth below.

Claim 1 and Dependent Claims 2, 5 and 6

Claim 1 and its depending claims 2, 5 and 6 stand or fall together.

The following limitations of claim 1 are not taught by combination of the cited references:

- (a) “the client processing unit ... being operative to ... generate at least one unexecuted electronic chattel paper document”.

The Examiner alleges that Rowney et al. discloses this limitation with its “client hello” message. Such a wake up or alert communication message simply does not reasonably correspond to electronic chattel paper.

- (b) “the client processing unit ... being operative to ... allow signatures electronically input by parties to a chattel paper transaction to be associated with the electronic chattel paper document thereby generating an electronic chattel paper agreement”.

The Examiner cites passages from Rowney et al. dealing with calculation of a digital signature by the computer of Rowney et al. This does simply not correspond to

Applicants' inputting of signatures by the parties to the agreement in an electrical fashion, such as via an electronic signature pad 225 (Fig. 2).

- (c) "client processing unit ... being operative to ... maintain an authoritative copy of the electronic chattel paper document in the server memory device of the server processing unit".

The Examiner points out that the merchant computer system of Rowney et al. stores a capture response for later use by a legacy system accounting program to perform reconciliation between the merchant operating the merchant computer system and the financial institution from whom payment was requested. What this has to do with maintaining an authoritative copy of a chattel paper document is simply not understood.

Hence, as the above claim limitations are simply not taught by the combination of references, claims 1 and its dependent claims 2, 5 and 6 are believed to be in condition for allowance.

### Claim 3

Claim 3 depends directly from claim 1 and is allowable for the reasons set forth with respect to claim 1. Additionally, the following limitation of claim 3 is not disclosed by the combined cited references:

"the client processing unit and the server processing unit are operative to generate at least one electronic chattel paper document by: the client processing unit ... integrating the pertinent information into an electronic template".

The Examiner's position is that Rowney et al. discloses this limitation by combining the server hello message and the client related message sent by customer computer system or client wherein the message that specify goods or services to be

ordered and payment information. A server hello message cannot reasonably be equated to the pertinent information which makes up portions of a chattel paper document. The cited teachings of Rowney et al. simply do not correspond to this claim limitation.

Therefore, claim 3 is believed to be in condition for allowance.

#### Claim 4

Claim 4 depends directly from claim 3 and is allowable for the reasons set forth with respect to claim 3. Additionally, the following limitation of claim 4 is not disclosed by the combined cited references:

“merging the pertinent information and the predefined document information to generate the electronic chattel paper document conforming to the predefined chattel paper document format”.

The Examiner cites the same teachings of Rowney et al. as cited against a similar limitation in claim 3 above. For the reasons set forth above, there is simply no correspondence between the teachings cited and the limitation claimed.

Therefore, claim 4 is believed to be in condition for allowance.

#### Claim 7

Claim 7 depends directly from claim 1 and is allowable for the reasons set forth with respect to claim 1. Additionally, the following limitation of claim 7 is not disclosed by the combined cited references:

“in response to an attempt to modify the electronic chattel paper document, rendering the electronic chattel paper document invalid”.

The Examiner cites Rowney et al. at column 14, line 4-14, which pertains to the validation of a digital signature. If the digital signature is not validated, Rowney et al.'s gateway computer system rejects the payment authorization request. This rejection of the request in the first place is respectfully submitted to not be the same as rendering a chattel paper document invalid after it has already been created. This limitation is simply not disclosed or suggested in the art of record.

Therefore, claim 7 is believed to be in condition for allowance.

#### Claim 8

Claim 8 depends directly from claim 1 and is allowable for the reasons set forth with respect to claim 1. Additionally, the following limitation of claim 8 is not disclosed by the combined cited references:

“the client processing unit receiving at least one signature input from the input device, creating a signature file containing the signature input, and encrypting the signature file using an encryption key that is based at least in part on the contents of the electronic chattel paper document”.

There is simply no such signature input mechanism taught by either of the references of record. A calculated digital signature and a signature public key certificate do not correspond to actual signatures input by parties to the chattel paper transaction via a device such as an electronic signature pad (see Fig. 2).

Therefore, claim 8 is believed to be in condition for allowance.

### Claim 9

Claim 9 depends directly from claim 1 and is allowable for the reasons set forth with respect to claim 1. Additionally, the following limitation of claim 9 is not disclosed by the combined cited references:

“the server processing unit receiving the electronic chattel paper agreement and the electronically input signatures”.

Since, as pointed out above, the prior art does not teach electronically inputting signatures by the chattel paper agreement parties, then naturally there is no teaching of a server receiving such signatures.

Therefore, claim 9 is believed to be in condition for allowance.

### Claim 10 and Dependent Claims 12 and 13

Claim 10 and its depending claims 12 and 13 stand or fall together. The following limitations of claim 10 are not disclosed by the combined cited references:

- (a) “generating an electronic chattel paper document by merging the subset of input information with a chattel paper document template”.

As pointed out above with respect to claim 1, no such merging or use of a chattel paper document template is taught by the cited art.

- (b) “electronically receiving a set of signatures by parties to a chattel paper transaction from the input source”.

As pointed out above, the cited art does not teach use of an electronic signature pad such as 225 of Fig. 2.

Therefore, claim 10 and its dependent claims 12 and 13 are believed to be in condition for allowance.

#### Claim 11

Claim 11 directly depends from claim 10 and is allowable for the reasons set forth with respect to claim 10. Additionally, the following limitation of claim 11 is not disclosed by the combined cited references:

“after generating the electronic chattel paper document providing a signature indicator to the input source, the signature indicator indicating that the generating step is complete and that the electronic document requires the input of the set of electronic signatures”.

The Examiner states that the payment gateway computer system of Rowney et al. validates merchant digital signatures. It is respectfully submitted that a merchant digital signature is not a set of electronic signatures of the parties received from an input source. Validating such merchant digital signatures does not disclose “providing a signature indicator to the input source”.

Therefore, claim 11 is believed to be in condition for allowance.

#### Claim 14

Claim 14 depends directly from claim 10 and is allowable for the reasons set forth with respect to claim 10. Additionally, the following limitation of claim 14 is not disclosed by the combined cited references:

“encrypting the set of electronically input signatures using an encryption key”.

Since as pointed out above there is no teaching in the art of record of electronically inputting signatures of the parties, there likewise cannot be any teaching of encrypting such signatures.

Therefore, claim 14 is believed to be in condition for allowance.

#### Claim 15

Claim 15 depends directly from claim 10 and is allowable for the reasons set forth with respect to claim 10. Additionally, the following limitation of claim 15 is not disclosed by the combined cited references:

“providing an indicator that the set of electronically input signatures has been received and that the electronic chattel paper agreement is complete”.

The Examiner alleges that this limitation is met by Rowney et al. payment gateway computer system receiving a payment authorization request and verifying the merchant computer system's encryption and signature public key certificates as well as digital signature. This allegation is simply not understood as far as any correspondence to the claim limitation. Neither Rowney et al. nor Ginter et al. deals with electronically input signatures as noted with respect to many of the claims set forth above.

Therefore, claim 15 is believed to be in condition for allowance.

#### Claim 16

The rejection of this claim highlights the Examiner's inconsistent use of the teachings of Rowney et al. In the first paragraph under claim 16 at page 15 of the Final Office Action of June 29, 2005, the Examiner states that Applicant's "client device" corresponds to Rowney's payment gateway computer system. Then in the third paragraph under this part of the rejection, the Examiner refers to the merchant

computer system of Rowney as corresponding to the "client device". Beyond this inconsistency, certain of the limitations of claim 16 are simply not disclosed in the cited references.

- (a) "a client device receiving ... a set of signatures necessary to make the electronic chattel paper document a binding chattel paper agreement".

Such signatures are not in correspondence with a payment authorization request from the merchant as alleged by the Examiner.

- (b) "a client device transferring the encrypted electronic chattel paper document and the encrypted set of signatures to a server device over a communication medium ..., the stored electronic chattel paper document and set of signatures constituting the only authoritative copy of the electronic chattel paper agreement'.

There is no teaching of this concept in either of the cited references. The Examiner's citation to column 20, lines 3-8 of Rowney et al. is simply not applicable to this limitation.

Claim 16 is therefore believed to be in condition for allowance.

#### Claim 17 and Dependent Claim 19

Claim 17 and its dependent claim 19 stand or fall together. The following limitations of claim 17 are not disclosed by the combined cited references:

- (a) "the client processing unit ... being operative to ... generate at least one electronic chattel paper document".



The Examiner takes the position that this corresponds to Rowney et al. having a customer computer system initiating communication by sending a "client hello" message to the merchant computer system. It is respectfully submitted that there is no way a "client hello" message can reasonably be construed to be analogous to a chattel paper document.

- (b) "the client processing unit ... being operative to ... allow electronic input signatures to be associated with the electronic chattel paper document thereby generating an electronic chattel paper agreement".

As pointed out above with respect to many of the preceding claims, this concept is simply not found in the cited references. The Examiner's citation to Rowney et al. at column 11, lines 20-24, apparently equates such signatures to a server key exchange message which may be used by a client to decrypt a further message sent by the server. The rationale for this analogy is simply not understood.

Therefore, claim 17 and its dependent claim 19 are believed to be in condition for allowance.

#### Claim 18

Claim 18 directly depends from claim 17 and is allowable for the reasons set forth with respect to claim 17. Additionally, the following limitation of claim 18 is not disclosed by the combined cited references:

"merging the pertinent information with predefined chattel paper document information to generate an electronic chattel paper document conforming to a predefined chattel paper document format".

As pointed out above with respect to several of the preceding claims, this concept is simply not a part of the cited art. The Examiner apparently equates the merging claimed with combining the server message and client hello message sent by a customer computer system. Applicants' respectfully, but strenuously, disagree.

Therefore, claim 18 is believed to be in condition for allowance.

#### Claim 20

Claim 20 depends directly from claim 17 and is allowable for the reasons set forth with respect to claim 17. Additionally, the following limitations of claim 20 are not disclosed by the combined cited references:

- (a) "the client processing unit ... detecting an attempt to modify the electronic chattel paper document".

In this rejection, the Examiner asserts that the client processing unit comprises Rowney's payment gateway computer system. Contrast this to various previous rejections wherein the client processing unit is equated to the merchant computer system thereby again emphasizing the inconsistency of the Examiner's application of the Rowney et al. reference to the pending claims. Rowney is concerned solely with validating the right of a user to make an electronic payment. There is no teaching of a detection of an attempt to modify an electronic chattel paper document.

- (b) "the client processing unit is operative ... in response to detecting an attempt, rendering the electronic chattel paper document invalid".

The Examiner's citation to Rowney at column 14, lines 4-14 is concerned with a gateway computer system rejecting a payment authorization request, and has nothing to do with "rendering the electronic chattel paper document invalid".

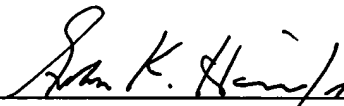
Therefore, claim 20 is believed to be in condition for allowance.

### CONCLUSION

Each of the claims includes at least one limitation missing from the combined teachings of Rowney et al. and Ginter et al. Additionally, the Examiner has not identified anything in the record that suggests combining the applied references in the first place. Therefore, the Examiner has failed to establish a prima facie case of obviousness, and the Examiner's rejection of claims 1—20 under 35 U.S.C. § 103(a) should be reversed.

Respectfully submitted,

Dated: November 22, 2005

By:   
Gordon K. Harris, Jr., Reg. No. 28,615  
(248) 944-6526  
Attorney for Applicants

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CIMS 483-02-19  
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248-944-6519



APPENDIX  
CLAIMS ON APPEAL

1. A system for enabling the preparation, execution and secure management of an electronic chattel paper agreement comprising:

a server processing unit and a server memory device electrically coupled to the server processing unit;

a client processing unit and a client memory device electrically coupled to the client processing unit;

a server program module, stored in the server memory device, for providing instructions to the server processing unit,

a client program module, stored in the client memory device, for providing instructions to the client processing unit, and

a communication medium, communicatively coupling the server processing unit and the client processing unit;

the client processing unit, responsive to the instructions of the client program module and the server processing unit, responsive to the instructions of the server program module, being operative to:

authorize access to the system;

generate at least one unexecuted electronic chattel paper document;

prevent the creation of fraudulent versions of the electronic chattel paper document;

allow signatures electrically input by parties to a chattel paper transaction to be associated with the electronic document thereby generating an electronic chattel paper agreement; and

maintain an authoritative copy of the electronic chattel paper agreement in the server memory device of the server processing unit.

2. The system of claim 1, further comprising an input device electrically coupled to the client processing unit, and wherein the client processing unit and the server processing unit are being operative to authorize access to the system by:

the client processing unit

receiving access information from the input device,

transmitting the access information to the server processing unit over the communication medium, and

receiving an authorized indicator from the server processing unit over the communications medium; and

the server processing unit

receiving the access information from the client processing unit over the communications medium,

verifying that the access information qualifies for granting access to the system, and

transmitting an authorized indicator to the client processing unit over the communications medium.

3. The system of claim 1, further comprising an input device electrically coupled to the client processing unit, and where in the client processing unit and the server processing unit are operative to generate at least one electronic chattel paper document by:

the client processing unit

receiving pertinent information from the input device, and

integrating the pertinent information into an electronic template.

4. The system of claim 3, wherein the electronic template includes predefined chattel paper document information and a predefined chattel paper document format, and the client processing unit and the server processing unit are operative to integrate the pertinent information into the electronic template by:

receiving a complete indicator from the input device, the complete indicator indicating that no additional pertinent information will be received by the client processing unit, and

merging the pertinent information and the predefined document information to generate the electronic chattel paper document conforming to the predefined chattel paper document format.

5. The system of claim 1, further comprising an input device electrically coupled to the client processing unit, and where the client processing unit and the server processing unit are operative to prevent the creation of fraudulent versions of the electronic chattel paper document by the client processing unit, in response to

generating the electronic chattel paper document, rejecting any attempts to modify the electronic document.

6. The system of claim 1, further comprising an input device electrically coupled to the client processing unit; and wherein the client processing unit and the server processing unit are operative to prevent the creation of fraudulent versions of the chattel paper electronic document by the client processing unit, in response to generating the electronic chattel paper document, encrypting the electronic chattel paper document and generating a signature key based at least in part on the contents of the electronic chattel paper document.

7. The system of claim 1, further comprising an input device electrically coupled to the client processing unit, and the client processing unit and the server processing unit are operative to prevent the creation of fraudulent versions of the electronic chattel paper document by:

the client processing unit,

in response to generating the electronic chattel paper document, encrypting the electronic chattel paper document, and

in response to an attempt to modify the electronic chattel paper document, rendering the electronic chattel paper document invalid.

8. The system of claim 1, further comprising an input device electrically coupled to the client processing unit, and wherein the client processing unit and the

server processing unit are operative to allow signatures electronically input by parties to the chattel paper transaction to be associated with the electronic chattel paper document thereby generating an electronic agreement by:

the client processing unit

receiving at least one signature input from the input device,

creating a signature file containing the signature input, and

encrypting the signature file using an encryption key that is

based at least in part on the contents of the electronic chattel paper document.

9. The system of claim 1, further comprising an input device electrically coupled to the client processing unit, and the client processing unit and the server processing unit are operative to maintain an authoritative copy of the electronic chattel paper agreement in the server memory device of the server processing unit by:

the client processing unit

receiving a submit indicator from the input device, and in response

to receiving the submit indicator, transmitting the electronic chattel paper agreement

and the electronically input signatures associated with the electronic chattel paper

agreement to the server processing unit over the communications medium; and

the server processing unit

receiving the electronic chattel paper agreement and the

electronically input signatures,

preventing any modifications to the electronic chattel paper

agreement and the signature file, and



providing an unauthorized copy indicator on any electronic and hard copies of the chattel paper agreement, the unauthorized copy indicator indicating that the electronic and hard copies of the electronic chattel paper agreement are not the authoritative copy of the electronic chattel paper agreement.

10. A method for creating an electronic chattel paper agreement and maintaining an authoritative copy of the electronic chattel paper agreement, the method comprising:

(a) receiving a set of input information from an input source, the set of input information including a subset of information necessary to generate an electronic chattel paper document;

(b) in response to receiving a complete indicator from the input source, the complete indicator indicating that the received subset of input information is complete, generating an electronic chattel paper document by merging the subset of input information with a chattel paper document template;

(c) electronically receiving a set of signatures by parties to a chattel paper transaction from the input source, whereby upon receiving the set of chattel paper signatures, the electronic chattel paper document is considered an electronic chattel paper agreement; and

(d) in response to receiving a submit indicator, storing the electronic chattel paper agreement within an access restricted computer system, the stored electronic chattel paper agreement constituting an authoritative copy of the electronic chattel paper agreement.

11. The method of claim 10, further comprising after generating the electronic chattel paper document providing a signature indicator to the input source, the signature indicator indicating that the generating is complete and that the electronic chattel paper document requires the electronic input of the set of signatures.

12. The method of claim 11, further comprising prior to the receiving a set of signatures encrypting the electronic chattel paper document.

13. The method of claim 12, further comprising after the encrypting preventing the electronic chattel paper document from being modified.

14. The method of claim 10, further comprising prior to the storing encrypting the set of electronically input signatures using an encryption key, the encryption key being based at least in part, on the contents of the electronic chattel paper document, whereby if the contents of the electronic chattel paper document are modified, the electronically input signatures and the electronic chattel paper agreement will be invalid.

15. The method of claim 10, further comprising prior to the storing providing an indicator that the set of electronically input signatures has been received and that the electronic chattel paper agreement is complete.

16. In a distributed computer system including at least one server device and at least one client device communicatively coupled to the server device, a method for

maintaining an authoritative copy of an electronic chattel paper agreement, the method comprising:

(a) a client device receiving a set of input information from an input source, the set of input information including a subset of information necessary to generate an electronic chattel paper document and a set of signatures necessary to make the electronic chattel paper document a binding chattel paper agreement;

(b) the client device encrypting the electronic chattel paper document using a first key and the set of signatures using a second key, the second key being based at least in part on the contents of the electronic chattel paper document, whereby any modifications to the electronic chattel paper document would result in invalidating the set of signatures;

(c) the client device transferring the encrypted electronic chattel paper document and the encrypted set of signatures to a server device over a communications medium, the server device being access restricted, the stored electronic chattel paper document and set of signatures constituting the only authoritative copy of the electronic chattel paper agreement.

17. A client system operating within an electronic chattel paper document system, the electronic chattel paper document system including a server, a server memory storage device and a server program module, the client system comprising:  
a client processing unit;

a client memory device, a display device and an input device all electrically coupled to the client processing unit; a client program module, stored in the client memory device, for providing instructions to the client processing unit;

a communication medium, communicatively coupling the client system to the electronic document system; and

the client processing unit, responsive to the instructions of the client program module, being operative to:

authorize access to the electronic chattel paper document system by

receiving access information from the input device,

transmitting the access information to the server over the communication medium, and

receiving an authorization indicator from the server processing unit over the communications medium;

generate at least one electronic chattel paper document;

prevent the creation of fraudulent versions of the electronic chattel paper document;

allow electronically input signatures to be associated with the electronic chattel paper document, thereby generating an electronic chattel paper agreement,

receiving a set of signatures from the input device,

creating at least one signature file containing the set of signatures,

and

encrypting the signature file using an encryption key that is based at least in part on the contents of the electronic chattel paper document; and

transfer the electronic chattel paper document and the encrypted signature file as an electronic chattel paper agreement to the server over the communications medium.

18. The client system of claim 17, wherein the client processing unit is operative to generate at least one electronic chattel paper document by:

- receiving pertinent information from the input device; and
- merging the pertinent information with predefined chattel paper document information to generate an electronic chattel paper document conforming to a predefined chattel paper document format.

19. The client system of claim 17, wherein the client processing unit is operative to prevent the creation of fraudulent versions of the electronic chattel paper document by, after generating the electronic chattel paper document, encrypting the electronic chattel paper document and rejecting any attempts to enter additional pertinent information.

20. The system of claim 17, wherein the client processing unit is operative to prevent the creation of fraudulent versions of the electronic chattel paper document by:

- detecting an attempt to modify the electronic chattel paper document, and
- in response to detecting an attempt, rendering the electronic chattel paper document invalid.